



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
NISHIDA et al.

Application No. 10/534,104
Appln. Filed: May 6, 2005

Confirmation No. 5136
Atty Docket. No. 46244

Group Art Unit: 1794
Examiner: Stulii, Vera

Title: METHOD FOR PRODUCING FERMENTED BEVERAGES

TRANSMITTAL OF RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Response in the above-captioned application. The fee has been calculated as shown below. (*Small entity fees indicated in parentheses.*)

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Claims Remaining After Amendment		Highest Number Previously Paid For		Extra Claims	Rate
Total Claims	16	-	20	0	52.00	\$0
(Small Entity)					(26.00)	
Independent claims	1	-	3	0	220.00	\$0
(Small Entity)					(110.00)	
Multiple Dependent	0	-	0	0	390.00	\$0
(Small Entity)					(195.00)	
Extension of Time	One Month		Two Months	Three Months	Four Months	
Fee	\$130		\$490	\$1,110	\$1,730	\$0
(Small Entity)	(\$65)		(\$245)	(\$555)	\$865	
IDS						\$0
Total						\$0

The above fees are believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0687 under the above Attorney Docket Number for which purpose this paper is submitted in duplicate. **CUSTOMER NO. 20736**

Respectfully submitted,

Paul E. White, Jr.
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Tel. No. 202-261-1050
Fax No. 202-887-0336

Date: February 2, 2009

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Sir:

In response to the restriction requirement under 35 USC 121, as set forth in the Office Action, dated January 7, 2009, in the subject application, the applicants hereby elect the invention to be examined as the method for producing fermented beverage of Group I, which contains claims 1-26 and 28-33.

The claims encompassing the elected invention are claims 1-26 and 28-33.

The applicants submit that the above is a complete and adequate response to the present Office Action.

Entry of this Response and favorable consideration of this application are respectfully requested.

Respectfully submitted,

MANELLI DENISON & SELTER, PLLC

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